

ZB# 05-70

**Dr. Michele Winchester-
Vega**

47-1-1

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553
GRANTED 12-12-05

05-20

DR. MICHELE WINCHESTER-VEGA
339 BLOOMING GRV. TPK (47-1-1)
(AREA)

**OFFICE OF THE PLANNING BOARD
TOWN OF NEW WINDSOR
ORANGE COUNTY, NY**

NOTICE OF DISAPPROVAL OF PLANNING BOARD APPLICATION

PLANNING BOARD FILE NUMBER: 05-33

DATE: 10-27-05

APPLICANT:

Michele Winchester-Vega
2 Harvey Way, Newburgh, New York 12550

PLEASE TAKE NOTICE THAT YOUR APPLICATION:

DATED: 10-19-05

FOR: SITE PLAN

LOCATED AT: 339 Blooming Grove Turnpike


ZONE: PO

DESCRIPTION OF EXISTING SITE: SEC: 47 BLOCK: 1 LOT: 1

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

Area Type Variances Required for Front Yard Setback, Development Coverage. (ZBA may wish to issue variances for pre-existing non-conformances for Lot Area, Side Yard and off-street parking).

TOWN OF NEW WINDSOR CODE: Bulk Tables


Mark J. Edsall, P.E., P.P.
Engineer for the Planning Board

NOTICE OF DISAPPROVAL OF PLANNING BOARD APPLICATION - Continued

REQUIREMENTS

P.B. # **05-33**

ZONE: **PO**

USE: **A-5**

	REQUIRED	PROPOSED	VARIANCE REQUESTED
MIN. LOT AREA	43,560 s.f.	0.45 acre	0.55 acre
MIN. LOT WIDTH	125	160+	-
REQUIRED FRONT YARD	45	57.5 / 25	- / 20
REQUIRED SIDE YARD	20	15.1	4.9
REQUIRED TOTAL SIDE YARD	40	n/a	-
REQUIRED REAR YARD	50	n/a	-
REQUIRED FRONTAGE	70	417+	-
MAX. BLDG. HT.	35	<35	-
FLOOR AREA RATIO	n/a	-	-
MIN. LIVABLE AREA	n/a	-	-
DEVELOPMENTAL COVERAGE	20%	43	23%
O/S PARKING SPACES	20	15	5

PLEASE COMPLETE THE ENCLOSED ZONING BOARD APPLICATION AND RETURN TO THE ZONING BOARD SECRETARY AS INSTRUCTED IN THE APPLICATION PACKAGE. YOU WILL THEN BE PLACED ON THE NEXT AVAILABLE AGENDA FOR THE ZONING BOARD OF APPEALS.

CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE

**OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK**

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: 11/29/05

APPLICANT: Michele Winchester
339 Blooming Grove Turnpike
New Windsor, NY 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 11/28/05

FOR : Freestanding sign

LOCATED AT: 339 Blooming Grove Turnpike

ZONE: PO **Sec/ Blk/ Lot:** 47-1-1

DESCRIPTION OF EXISTING SITE:

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Sign shall not exceed 64sqft—Proposed sign is 100sqft. A variance of 36sqft is requested.

COPY


BUILDING INSPECTOR

PERMITTED

**PROPOSED OR
AVAILABLE:**

**VARIANCE
REQUEST:**

ZONE: USE:

SIGN:

FREESTANDING:	64sqft	100sqft	36sqft
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HEIGHT:

WIDTH:

WALL SIGNS:

TOTAL ALL SIGNS:

FEET FROM ANY LOT LINE:

cc: Z.B.A., APPLICANT, FILE, W/ATTACHED MAP

**PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION**

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection taken.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and per test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

NOV 28 2005

FOR OFFICE USE ONLY:
Building Permit #: 2005-1248

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS
REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises Felix Vega and Michele Winchester-Vega

Address 339 Blooming Grove Turnpike, New Windsor, New York, 12553 Phone # 845-562-9816

Mailing Address 2 Harvey Way, Newburgh, New York, 12550 Fax # _____

Name of Architect Coppola Associates

Address 3 Washington Center, Maple Building, 2nd Floor, Newburgh, New York, 12550 Phone 845-561-3559

Name of Contractor _____

Address _____ Phone _____

Is whether applicant is owner, lease, agent, architect, engineer or builder Owner

If applicant is a corporation, signature of duly authorized officer. _____
(Name and title of corporate officer)

1. On what street is property located? On the North side of NYS Route 94
(N, S, E or W)
and 162'-0" feet from the intersection of NYS Route 94 and Caesars Lane

2. Zone or use district in which premises are situated PO - Professional / Office Is property a flood zone? Y N X

3. Tax Map Description: Section 47 Block 1 Lot 1

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy PO - Professional / Office b. Intended use and occupancy PO - Professional / Office

5. Nature of work (check if applicable) ☐ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☒ Other

6. Is this a corner lot? Yes 100 Sf. Sign
(see Attached)

7. Dimensions of entire new construction. Front _____ Rear _____ Depth 5'-0" Height 10'-0" No. of stories _____

8. If dwelling, number of dwelling units: NA Number of dwelling units on each floor NA

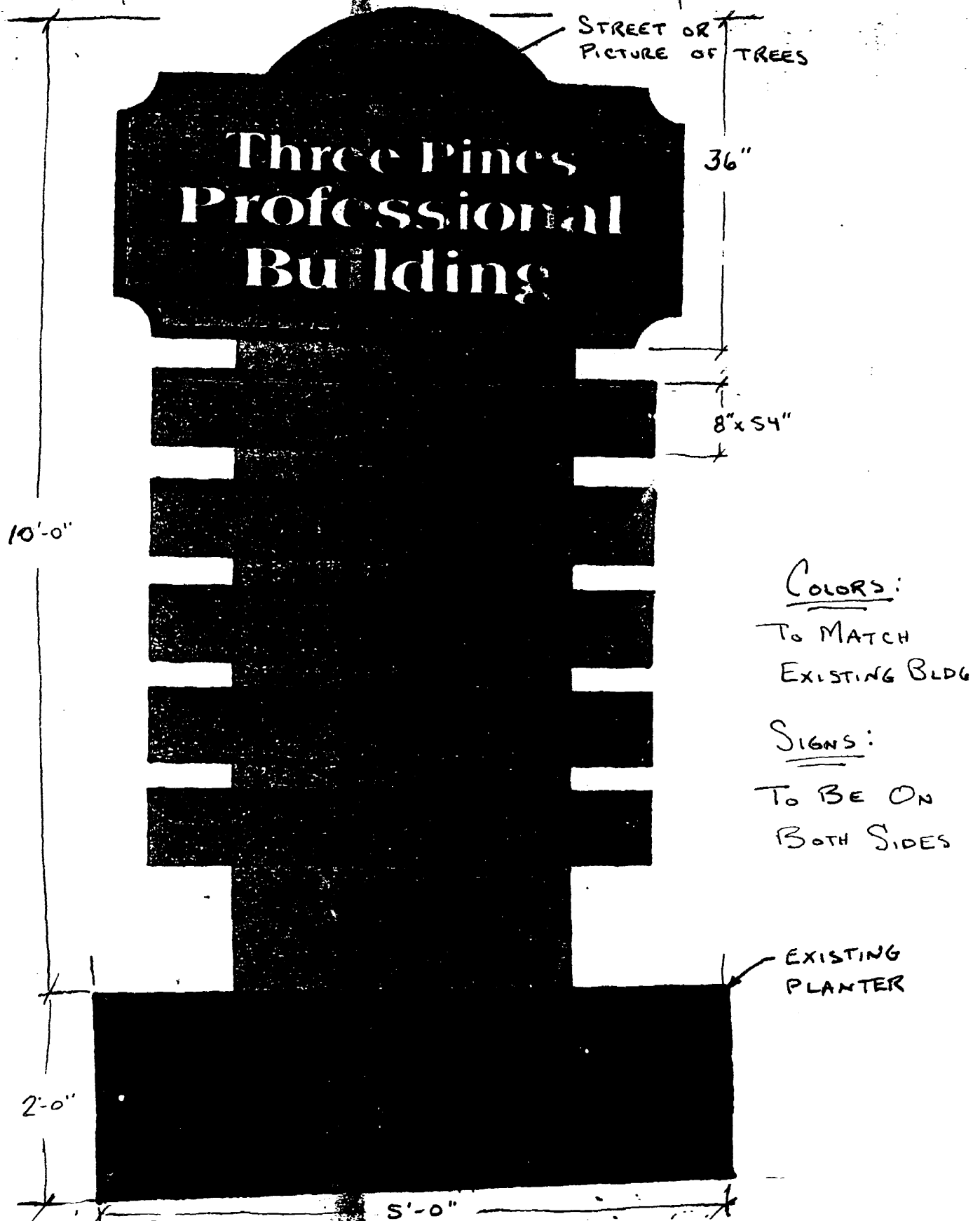
Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____ Oil _____
Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost _____ Fee \$50 Ch # 1456

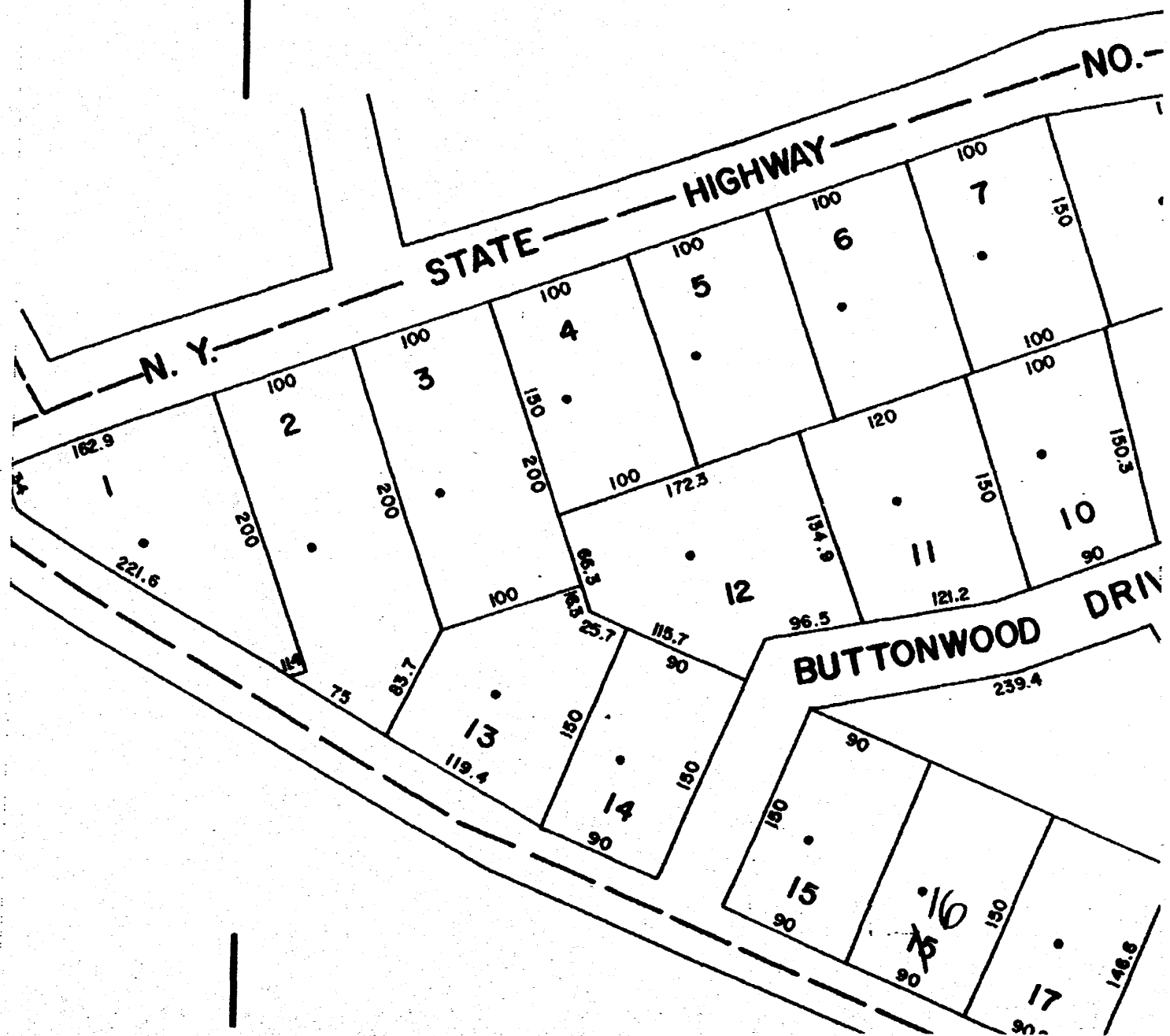
ZONING BOARD

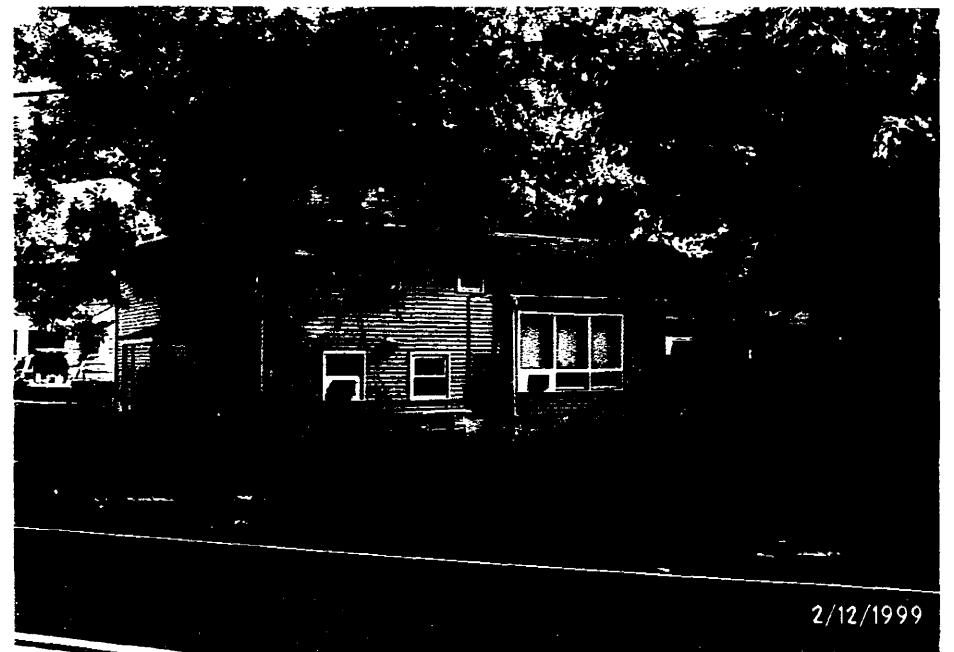
PAID



PROPOSED NEW SIGN FOR:

339 BLOOMING GROVE TURNPIKE









Town of New Windsor

**555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4689**

OFFICE OF THE ZONING BOARD OF APPEALS

April 25, 2006

Michele Winchester-Vega
339 Blooming Grove Tpk.
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #05-70

Dear Michele:

Please find enclosed two copies of the Formal Decision for your case before the Zoning Board of Appeals. Please keep these copies in your records for future reference if needed.

If you are in need of any further assistance or have any questions in this matter, please feel free to contact me at the above number.

Very truly yours,

Myra Mason, Secretary to the
NEW WINDSOR ZONING BOARD

MLM:mlm

cc: Michael Babcock, Building Inspector

NEW WINDSOR ZONING BOARD OF APPEALS

SBL: 47-1-1

In the Matter of the Application of

DR. MICHELE WINCHESTER-VEGA

MEMORANDUM OF
DECISION GRANTING

AREA

CASE #05-70

WHEREAS, Anthony Coppola represented, owner(s) of 339 Blooming Grove Turnpike, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for .55 acre lot area and; 20 ft. Front Yard Setback and; 4.9 ft. side yard setback and; 23% Developmental Coverage and; 5 parking spaces for proposed addition to existing doctor's office at 339 Blooming Grove Tpk. in a PO Zone (47-1-1)

WHEREAS, a public hearing was held on December 12, 2005 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Anthony Coppola, AIA representing the Applicant appeared on behalf of this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor of or in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Times Herald Record, also as required by law.
2. The Evidence presented by the Applicant showed that:
 - (a) The property is a formerly a residential property now used for a commercial purpose located on a busy state highway in a mixed neighborhood of residential and commercial uses which neighborhood is predominantly commercial.
 - (b) The property is located on the corner of a busy state highway and a town roadway which intersects with said state highway.

- (c) The applicant is currently using the property for a medical office building. The applicant seeks to construct an addition to the property and to relocate its parking and access.
- (d) The property currently has access from both the adjacent Town Highway and the State Highway. The applicant proposes that, if this application is granted, the entrance and exit on and off the Town Highway will be discontinued and that the only entrance and exit to the property will be from the State Highway.
- (e) Although the applicant will not have enough parking to satisfy the Town of New Windsor Requirements, the variance, if granted, will result in an increase in the available parking. After said increase the parking will still be non-conforming and, therefore, a variance is requested, although the degree of the non-conformity will be lessened.
- (f) The sign that is proposed by the applicant will be of sufficient size to allow the names of all of the doctors occupying the medical office building to be displayed. It will be externally lit from the ground with non-flashing, non-neon lighting.
- (g) The sign will be located in a location sufficiently removed from the road that it will not interfere with the safe operation of motor vehicles on the adjacent roadways.
- (h) The applicant seeks to locate the proposed addition in the place designated because of the configuration and of the existing building and the existing conditions.
- (i) In constructing the addition, the applicant will not remove any substantial trees or vegetation.
- (j) The addition will not create the ponding or collection of water or divert the flow of water drainage.
- (k) The new parking lot facilities will not cause the ponding or collection of water or divert the flow of water drainage.
- (l) Neither the addition or parking lot will be on top of nor will they interfere with any easements including, but not limited to, water, sewer or electrical easements.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested is/are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is/are self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) is/are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance(s).

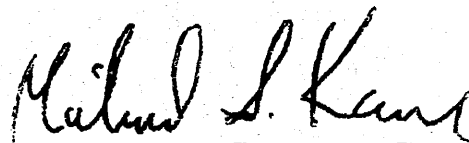
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a Request for .55 acre lot area and; 20 ft. Front Yard Setback and; 4.9 ft. side yard setback and; 23% Developmental Coverage and; 5 parking spaces for proposed addition to existing doctor's office at 339 Blooming Grove Tpk. in a PO Zone (47-1-1) as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: December 12, 2005

A handwritten signature in cursive script, reading "Michael S. Kane", is written over a horizontal line.

Chairman

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
OFFICE
845-563-4615**

MEMORANDUM

TO: LARRY REIS, COMPTROLLER
FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD
DATE: MARCH 28, 2006
SUBJECT: ESCROW REFUND

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 312.46 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #05-70

NAME & ADDRESS:

**Michele Winchester-Vega
339 Blooming Grove Tpk.
New Windsor, NY 12553**

THANK YOU,

MYRA

L.R.03-28-2006



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
RECORD OF CHARGES & PAYMENTS**



FILE #05-70 TYPE: AREA TELEPHONE: 562-9816

APPLICANT:

Michele Winchester-Vega
339 Blooming Grove Tpk.
New Windsor, NY 12553

RESIDENTIAL:	\$ 50.00	CHECK # _____
COMMERCIAL	\$ 150.00	CHECK # <u>0096</u>
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW: COMMERCIAL \$500.00 CHECK # 0095



<u>DISBURSEMENTS:</u>	<u>MINUTES</u>	<u>ATTORNEY</u>
	<u>\$5.50 / PAGE</u>	<u>FEE</u>

PRELIMINARY:	<u>6</u>	PAGES	\$ <u>33.00</u>	\$ <u>35.00</u>
2 ND PRELIMINARY:	—	PAGES	\$ _____	\$ _____
PUBLIC HEARING:	<u>5</u>	PAGES	\$ <u>27.50</u>	\$ <u>35.00</u>
PUBLIC HEARING:	—	PAGES	\$ _____	\$ _____

LEGAL AD: Publish Date: 11/26 \$ 57.04

TOTAL:	\$ <u>117.54</u>	\$ <u>70.00</u>
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ESCROW POSTED:	\$ 500.00
LESS: DISBURSEMENTS:	\$ <u>187.54</u>

AMOUNT DUE: \$ _____

REFUND DUE: \$ 312.46

Cc:

L.R. 03-28-2006

November 14, 2005

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DR. MICHELE WINCHESTER-VEGA (05-70)

MR. KANE: Request for .55 acre lot area and 20 ft. front yard setback and 4.9 ft. side yard setback and 23% developmental coverage and .5 parking spaces for proposed addition to existing doctor's office at 330 Blooming Grove Turnpike.

Mr. Anthony Coppola and Dr. Winchester-Vega appeared before the board for this proposal.

MR. COPPOLA: Try to do this quickly.

MR. KANE: Just need you to state your name for in this young lady.

MR. COPPOLA: Anthony Coppola, I'm the architect who prepared the plans. This is a referral from the planning board, we have already been to the planning board and what we're proposing is essentially a one story rear yard addition to an existing medical office building. This is a lot that has two front yards Route 94 and Caesar's Lane. Just to go over the proposal quickly there's an existing kind of one and a half story frame building that's a medical office building, there are a number of different doctors in the building the total of square footage of what we have there is basically 1,550 medical office and 850 regular office, that's what's existing. What's proposed is a new one story, single story 765 square foot addition in the rear which is actually the front yard of Caesar's Lane. So there's three variances that we think we need then we need, I wanted to talk about the sign. The existing setback on Caesar's Lane here is 28.2 feet, we're coming about 3 feet closer to the setback over there, so that's 25 feet proposed and I believe 40 feet is required, if that's new, I'm sorry, 45 feet is required if that's new on the side yard so we're coming three foot closer than what's existing right now. The second variance is for developmental coverage which is the, I

ad
57.04

don't know if that's the building and the hard surfaces or just the building, it's the building and the, so it's all our surfaces so that calculation I have been told what's required is extremely low but that's how the zoning ordinance is written, it's 20 percent. What we're proposing is 37 percent, I'm sorry, what we're proposing is 43 percent, what's required is 20 percent so that's all the hard surfaces of the parking and the building with the addition. Now we're only proposing a very, very small increase in the parking lot, we're proposing two new parking spaces right off Route 94, we're proposing the elimination of the entrance on Caesar's Lane so actually some pavement that's going to be removed there and it's probably about from what we're adding on the corner here and what we're taking away is probably about the same. So aside from the addition it's a very, very small increase in the hard surfaces here that's being removed, we're reconfiguring the parking and we're adding two spaces there and the handicapped space there. So that's more or less kind of an existing condition that because of this expansion we're asking for that variance. And then lastly with the parking calculation what we were asked to do at the planning board was break our parking down a number of different ways so there's a table on the plan that shows basically the existing parking and then the proposed parking. And what it's basically showing even though there's all different numbers in here what it's basically showing is that we have a deficit right now of five parking spaces, in other words, if you calculated the square footage what's there right now compared to the parking required for what's there right now we're five below what we should need and then basically by adding the parking over here and reconfiguring our lot and eliminating that entrance what I'm saying here is even with the addition we'll still have that same five space deficit that we have right now. So in effect we're really not making the off-street parking I mean any worse or any better but the plan and we presented this to the Town Board and

the planning board wanted us to present it to the zoning board, we knew we had to come for a variance for the other, so that's basically what we're including in our variance. And then the last item is just the sign and I went to the regulations and I believe that the regulations call for a maximum of sign square footage of 64 square feet which would be 32 feet, 32 square feet per side and we're there's an existing two sided sign, this is the existing two sided sign but because of the number of names that we're going to need on there we feel we probably want to ask for a variance on the sign too. So the existing sign is going to be expanded, we're probably going to move it higher, put it in a planter with landscaping underneath it, we'll probably illuminate it from below and we'll probably ask for a variance on that of 100 square feet up from the 64 so that would be, to 100 from the 64 so that would give us 50 square feet per side versus the 32.

MR. KANE: You had said raised it, you're not going to go over the 15 foot especially on that road?

MR. COPPOLA: No, I saw that too, we'd be okay below that.

MR. KANE: The other question I have I don't have a problem basically with anything that's going here, I don't know about the other members, the question I do have was the recommendation to close the driveway off Caesar's Lane just knowing 94 in that particular area, is that a wise move to cut out that exit?

MR. COPPOLA: Well, it's really something that the planning board didn't ask us to do, it's something that we proposed doing and it's really just out of the need to provide parking, you know, if you ask the DOT they would not like to us to do that I'm sure because that does put more traffic on Route 94. But for this small of a parking lot and I think Michele has thought about this, I'm not really sure you need two entrances and we

certainly don't want to give up that entrance on 94 but we do gain really about three parking spaces in that corner because without that being there you really can't make, you lose a lot of spaces.

DR. VEGA: Well, I'd prefer not to of course but if it's required by the planning and the zoning board to expedite things we would do that, I agree there's almost an accident on that corner all the time, but it's really about trying to make sure that we have adequate office space which we have been needing for the last couple years for storage of files and for, you know, office space.

MR. KANE: The only thing I would ask is that for the public hearing if you could just take a look at the parking if there's a way to present it even if we've got to give you a variance for two more spaces or something like that to keep that curb cut open, not saying it's written in stone, it may be that there's nothing you can do. I know with Cumberland Farms right there that's a tough, tough corner, so one exit going out onto 94 especially if somebody wants to make a left is going to be tough.

MR. COPPOLA: We've looked at parking back over here, there's really no way to do another right because of the angular nature of it so we'll take a look.

MR. KANE: Because it is important, we'll address it at the public hearing a bit, it's, I don't think it's a deal breaker at all, but it's something I definitely want to look at.

MR. COPPOLA: Okay.

MR. KANE: How about you guys, any other questions?

MR. REIS: Your rear exit, is there going to be a rear exit?

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MR. COPPOLA: There's, I'll show you the plan real quickly. The plan, there's an existing as you come in the front door there's two offices on that level and a small waiting room in the rear, we're expanding that by 28 feet, 27 feet width and expanding the waiting room in the rear and there's a rear door to there, then there's three new offices and new handicapped bath in the rear there so there will be an entrance that's not going to be for clients, clients will still come in the front door and we're actually not a hundred percent sure it will be there maybe in the back but that's what we're proposing right now.

MR. KANE: Any questions?

MR. BABCOCK: I don't seem to have any paperwork for the sign, is there paperwork?

MR. COPPOLA: No, we didn't give you guys paperwork.

MR. BABCOCK: You're going to do that before the public hearing so we can get that on the agenda?

MR. COPPOLA: Yes.

MR. KANE: It needs to be in the paper for the public hearing so you want to jump on that.

MR. BABCOCK: You need a permit application and diagram of the sign.

MR. COPPOLA: We'll fill out a sign permit application.

MR. BABCOCK: Yes.

MR. KANE: This way we can handle everything in one shot.

MR. BABCOCK: They can do that right through my office.

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MR. KANE: I'll accept a motion.

MR. REIS: Make a motion we set up Dr. Michele Winchester-Vega for the requested variance for .55 acre lot area, 20 foot front yard setback and 4.9 foot side yard setback and 23 percent developmental coverage. Is that actually what it is?

MR. COPPOLA: It's a variance of 23 percent.

MR. BABCOCK: Yes and the sign.

MR. KANE: And the sign additional 36 feet.

MR. COPPOLA: Correct.

MR. REIS: Sign additional 36 square feet, five parking spaces for proposed addition to an existing doctor's office at 339 Blooming Grove Turnpike.

MR. BROWN: Second the motion.

ROLL CALL

MS. LOCEY	AYE
MR. BROWN	AYE
MR. REIS	AYE
MR. KANE	AYE

MR. COPPOLA: Thank you very much.

PUBLIC HEARINGS

DR. MICHELE WINCHESTER-VEGA (05-70)

Mr. Anthony Coppola appeared before the board for this proposal.

MR. KANE: Request for .55 acre lot area and 20 ft. front yard setback and 4.9 ft. side yard setback and 23% developmental coverage and 5 parking spaces for proposed addition to existing doctors' office at 339 Blooming Grove Tpk. in a PO zone. Also add to that a variance of, a request of 36 square feet for signage.

MR. COPPOLA: Thank you, Mr. Chairman. We got these two back.

MR. KANE: Okay, same as the preliminary meeting.

MR. COPPOLA: My name is Anthony Coppola, I'm the architect who's prepared the plan. I'll just give a brief overview of what we're doing, what we're proposing and then what our variance is on. We have already been in front of the planning board, this is for a proposed one story addition to an existing medical office building at the corner of Route 94 and Caesar's Lane in New Windsor. Essentially we're proposing a rear yard addition to the existing building, the existing building is as I said a medical office building, there's a number of professionals who currently occupy the building, building's owned by Dr. Winchester-Vega. Inside there are a few different tenants, it's an older style split level house, you would have two levels I think on the right side one level and a basement on the left side. What's existing there now is essentially it's about a 2,300 2,400 square foot building that's what exists now. Parking lot in the front what we're proposing to do in addition to the rear yard addition is an alteration of the existing parking lot. We're going, and we have kind of

already proposed and had this reviewed by the planning board engineer, there's currently, let's see, I think a total of 14 spaces right now, it's kind of difficult to see because it's not striped, what we're proposing here is a total number of spaces, that's 15 parking spaces, we're eliminating the entrance on Caesar's Lane, we're keeping the existing entrance on Route 94, we're proposing two spaces on the left side as you come into the entrance here, those spaces are new and we're gaining a little bit of, a few spaces over in the back where the Caesar's Lane entrance is being removed. So what we have done for the parking calculation is kind of shown that for what we have right now we're 5 spaces non-conforming but essentially for what we're proposing we're the same number of spaces that are non-conforming. The planning board wants us to go through that calculation and present it to the zoning board as part of our variance application. So that's one of our items. In the rear here there's a diagonal setback that's 28.2 feet that's what's pre-existing, I believe what's conforming there is a front yard of 45 feet is what's normally required, there's 28 feet now, what we're proposing is slightly less than what's existing, 25 foot is proposed that's at the front yard on Caesar's Lane and we kind of feel we need that for an acceptable layout at the interior. What we're proposing on the inside is three new offices, an enlargement of the existing waiting room and a rear entrance and a handicapped bathroom, I can show you those plans if you'd like to see them. So that's our second variance request is that 25 foot front yard there. The development coverage I believe from what I remember is figured on the basis of all your hard surfaces, roofs and pavement, it seems to be extremely low for this type of project as far as what the zoning allows, what's required is 20 percent, what we have before this addition is 37 percent so we're already non-conforming, what we're proposing is slightly more than that 43 percent. So that's going to need a variance. So that's parking, that's the setback,

December 12, 2005

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that's the developmental coverage and I believe the last item is the sign, when we filled out a sign application to the building department we included it in Myra's package and I think that the zoning allows for 64 square foot sign, total square footage both sides of a sign, so if you can envision a piece of plywood that's 4 x 8, 32 square foot times two if it's doublesided that would be what would be conforming 64 square feet. What we're proposing is something slightly more than that which would be five foot by ten foot doublesided, it would be lit from the ground, it will be basically at the entrance here. There's an existing sign that we're probably going to replace, we don't, we're not quite sure if that's going to be the size but we just wanted the ability to have that if we wanted that many names on the sign to be able to have a slightly larger sign.

MR. KANE: For the record, the reason that you're making the sign bigger so you can get all the doctors' names out front and on that sign?

MR. COPPOLA: That would be accurate to say that, yes.

MR. KANE: And you said the sign's going to be lit from the ground up, it's going to be non-flashing?

MR. COPPOLA: Non-flashing, definitely.

MR. KANE: Steady illumination?

MR. COPPOLA: Yes.

MR. KANE: Won't inhibit the view of traffic?

MR. COPPOLA: That's correct.

DR. WINCHESTER-VEGA: The sign will be lit from the ground.

December 12, 2005

6

MR. KANE: The addition that's going on the back is 28 foot by 27'4" so it's really not that big of an addition, it's the smallest you could possibly put in there and make use of that space?

MR. COPPOLA: Yeah, I mean, we took a real close look at all the entire existing space, it kind of has to go here because there's a desirable, that's really the only spot on the lot which really it can make sense of this right side is kind of a bi-level, it's a split level so it's not the right side here, if you enter the entrance you'd go up and down to get to those floors so this side is not an accessible level. So we're making the addition basically at the accessible part of this existing building, so there's a ramp in the front that's there right now, the front door is handicapped accessible, this floor would be at the same level so what we're proposing in the rear here it's all at the same level which is all accessible at the front from the handicapped parking in the front.

MR. KANE: Where you propose to put the building in the back not going to be cutting down trees or substantial vegetation?

MR. COPPOLA: No, there's definitely no trees.

DR. WINCHESTER-VEGA: There was one tree recently removed because of the roots going into the septic system, I mean the, what do you call it?

MR. KANE: Just one tree?

DR. WINCHESTER-VEGA: One tree is gone.

MR. KANE: No creating of water hazards or runoffs in that?

MR. COPPOLA: No, we're not really changing hardly changing the pavement.

MR. KANE: Certain questions we have to ask even if they're kind of obvious.

DR. WINCHESTER-VEGA: There's a tree in the front we're going to have to remove.

MR. KANE: Again, not substantial?

DR. WINCHESTER-VEGA: Right.

MR. KANE: Any easements running through the area where you're going to put the addition?

MR. COPPOLA: No, we didn't pick up any, there's none on the survey.

MR. KANE: At this point, do you guys have any questions?

MR. REIS: No.

MR. KANE: At this point, I will ask if there's anybody in the audience for this particular hearing? Nobody cares. We'll close the public portion of the hearing, ask Myra how many mailings we had.

MS. MASON: On November 21, I mailed out 97 envelopes and no response.

MR. KANE: The sign that you're putting up that's going where your existing sign is now?

MR. COPPOLA: Yeah, it's right at the right side of the front entrance.

MR. KANE: For the record, it's not going inhibit the view of the traffic going up and down?

MR. COPPOLA: No, there's quite a distance between the

December 12, 2005

8

edge of the lot line and the edge of the pavement, it's probably like 15 feet from the lot line to the edge of the pavement and the sign will be set in so 20 feet from the sign to the edge of the road.

MR. KANE: Any further questions?

MR. REIS: Accept a motion?

MR. KANE: I'll accept a motion.

MR. REIS: I'll make a motion that we grant Dr. Michele Winchester-Vega's request for .55 acre lot area and 20 foot front yard setback and 4.9 foot side yard setback and 23 percent developmental coverage and 5 parking spaces for proposed addition to existing doctors' office and also the signage of 36 square foot be allowable all at 339 Blooming Grove Turnpike.

MS. GANN: I'll second the motion.

ROLL CALL

MS. GANN	AYE
MS. LOCEY	AYE
MR. BROWN	AYE
MR. REIS	AYE
MR. KANE	AYE



RESULTS OF Z.B.A. MEETING OF: December 12, 2005

PROJECT: Dr. Michele Wexler - Vega ZBA # 05-70
P.B.# _____

USE VARIANCE: _____ NEED: EAF _____ PROXY _____

LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
KANE _____

PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
KANE _____

NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
KANE _____

APPROVED: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
KANE _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____
REIS _____ CARRIED: Y _____ N _____
KANE _____

PUBLIC HEARING: _____ STATEMENT OF MAILING READ INTO MINUTES ✓
VARIANCE APPROVED: M) 15 S) 6 VOTE: A 5 N 0.

GANN A
LOCEY A
BROWN A
MCDONALD A
REIS A
KANE A

CARRIED: Y ✓ N 0.

Sign - non-flashing

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR
COUNTY OF ORANGE: STATE OF NEW YORK**

DR. MICHELE WINCHESTER-VEGA

#05-70

X

STATE OF NEW YORK)
) SS:
COUNTY OF ORANGE)

That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

That on the 21ST day of **NOVEMBER**, 2005, I compared the 97 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason
Myra L. Mason, Secretary

12th day of December, 2005

Deborah Ann
Notary Public

DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
#4981062
Commission Expires July 15, 2007

PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

Appeal No. 05-70

Request of DR. MICHELE WINCHESTER-VEGA

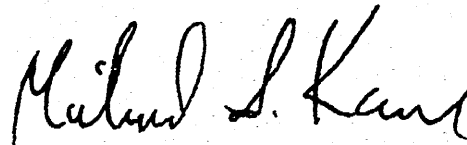
for a VARIANCE of the Zoning Local Law to Permit:

Request for :

**.55 acre lot area and;
20 ft. Front Yard Setback and;
4.9 ft. side yard setback and;
23% Developmental Coverage and;
5 parking spaces
Various sign variances**

**for proposed addition to existing doctor's office at 339 Blooming Grove Tpk. in a
PO Zone (47-1-1)**

**PUBLIC HEARING will take place on DECEMBER 12, 2005
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York
beginning at 7:30 P.M.**



Michael Kane, Chairman

Town of New Windsor
ZONING BOARD OF APPEALS
PUBLIC HEARING NOTICE

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

Appeal No. 05-70
 Request of DR. MICHELLE WINCHESTER - VEGA

for a VARIANCE of the Zoning Local Law to Permit:

Request for:

.55 acre lot area and;
 20 ft. Front Yard Setback and;
 4.9 ft. side yard setback and;
 25% Developmental Coverage and;
 5 parking spaces

Various sign variances

for proposed addition to existing doctor's office at 339
 Blooming Grove Tpk. in a PO Zone (47-1-1)

PUBLIC HEARING will take place on December 12,
 2005 at the New Windsor Town Hall, 555 Union Avenue,
 New Windsor, New York beginning at 7:30 P.M.

MICHAEL KANE
CHAIRMAN

Ad Number: 1819712 Advertiser: NEW WINDSOR, TOWN

Phone: 8455634615 Sys No: 1194114 Caller: MYRA

INVOKING CUSTOMER:

Phone: 8455634615 Sys No: 1194114 AcctNo: P.O. No:

Name: NEW WINDSOR, TOWN Subscriber:

Address: ZONING AND PLANNING

555 UNION AVENUE

NEW WINDSOR NY 12553

ORDER:

Printed By: THRFODORN Date: 11/23/2005 Assigned Sales: TownofNewWindsor ZONINGBOARDOFAPPEALS P AdType: LINER Order Type: NORMAL

Manual Delay: Box No: Call Back: Y

NOTES:

Change Reason:

INSERTION:

Product: THI Paper: TH Class: 999X; LEGAL BILLING

Schedule: Start Date - 11/26/2005 End Date - 11/26/2005

Sort: TOWN OF NEW WINDSORZONING BOARD OF APPEA

PRODUCTION:

Text Size: 2 x 32.00 ProdType: ENTERPRISE ColorNo: 0 Colors:

Tearsheets: 1 Proofs: 0 Affidavits: 1 Alt Addr: N

PRICING:

Price: 57.04 Payment Method: BI Amount Paid: 0 Amount Owed: 57.04

PriceMethod: 0 (0=Normal, 1=User Net, 2=System Gross) Rate Code: LEL

For fields listed below 0 = NO 1 = YES

Till Forbid: 0 Mult. Content: 0

TIMES HERALD-RECORD

40 Mulberry Street, Middletown, NY 10940

State of New York:

County of Orange: ss:

Patricia Foddrill

Being duly sworn deposes and says that the ORANGE COUNTY PUBLICATIONS Division of Ottaway Newspapers-Radio, Inc. is a corporation organized under the laws of the State of New York and is, at all the times hereinafter mentioned, was the printer and publisher of The Times Herald-Record, a daily newspaper distributed in the Orange, Ulster, Rockland, Dutchess, Pike, PA, Delaware and Sullivan Counties, published in the English language in the City of Middletown, County of Orange, State of New York, that deponent is the

Legal Advertising Rep.

of said The Times Herald-Record acquainted with the facts hereinafter stated, and duly authorized by said Corporation to make this affidavit; that the

Public Notice

a true printed copy of which is hereunto annexed, has been duly and regularly published in the manner required by law in said The Times Herald-Record in each of its issues published upon each of the following dates, to wit: In its issues of

11/26/05

Signature of Representative:

Sworn in before me this

28

Day of

Nov.

2005

Carol M. Montana

Notary Public, Orange County

CAROL M. MONTANA
Notary Public, State of New York
Sullivan County Clerk's #2041
Commission Expires Dec. 12, 2006



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4689

ZONING BOARD OF APPEALS

December 1, 2005

Michele Winchester-Vega
339 Blooming Grove Tpk.
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #05-70

Dear Dr. Vega:

This is just to let you know your Notices for Public Hearing were mailed out and the notice was also sent to The Times Herald Record Newspaper for publication. **PLEASE NOTE: The charge for publication in the Times Herald Record will be deducted from your escrow that was posted with your application papers.**

Your Public Hearing before the Zoning Board of Appeals for your requested variance at:

339 Blooming Grove Tpk.
New Windsor, NY

is scheduled for the DECEMBER 12, 2005 agenda.

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have any questions or concerns in this matter, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm

cc: Anthony Coppola, AIA
3 Washington Center – Second Floor
Newburgh, NY 12550



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-3101

Assessors Office

November 17, 2005

Dr. Michele Winchester-Vega
339 Blooming Grove Tpke
New Windsor, NY 12553

Re: 47-1-1

ZBA#: 05-70 (97)

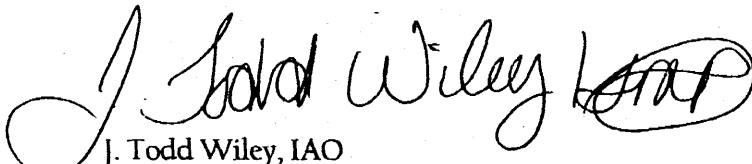
Dear Dr. Winchester-Vega:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$115.00, minus your deposit of \$25.00.

Please remit the balance of \$95.00 to the Town Clerk's Office.

Sincerely,


J. Todd Wiley, IAO
Sole Assessor

JTW/tmp
Attachments

CC: Myra Mason, Zoning Board

10-2-6
Mans Brothers Realty, Inc.
P.O. Box 247
Vails Gate, NY 12584

37-1-53
VSH Realty, Inc. V0732
777 Dedham Street
Canton, MA 02021

37-1-56
Barney & Noreen McKiernan
181 Caesars Lane
New Windsor, NY 12553

43-1-36
James & Doralies Wright
3 St. Anne Drive
New Windsor, NY 12553

43-1-39
Grace Panella
Celia Panella, et al
2 Hearthstone Way
New Windsor, NY 12553

43-1-43
Robert & Andrea Murphy
6 Hearthstone Way
New Windsor, NY 12553

44-1-30.4
Christopher Calabrese
228 Blooming Grove Tpke
New Windsor, NY 12553

44-1-38.1
John J O'Connor
P.O. Box 4078
New Windsor, NY 12553

44-1-41.2
Blooming Grove Equipment, Inc.
207 Lake Drive
Newburgh, NY 12550

44-1-45
John & Veronica Frost
6 St. Anne Drive
New Windsor, NY 12553

37-1-52.1
Qualamar Corp.
P.O. Box 1150
Newburgh, NY 12550

37-1-54
Forge Hill Associates
c/o Garnet Management Co., Inc.
333 North Broadway
Jericho, NY 11753

43-1-34
Stephen Littier, Jr.
7 St. Anne Drive
New Windsor, NY 12553

43-1-37
Juan & Luz Morales
1 St. Anne Drive
New Windsor, NY 12553

43-1-40
Robert & Richard Kennon
66 Drum Hill Road
Wilton, CT 06897

43-1-44
James Ely
8 Hearthstone Way
New Windsor, NY 12553

44-1-33
Douglas & Dorian Remine
47 Forest Hill Road
New Windsor, NY 12553

44-1-39
Oakwood Mall, Inc.
c/o Victor Meisels
4 Fillmore Court - #301
Monroe, NY 10950

44-1-42
Rudolph Pizzonia
36 Hortons Road
Westtown, NY 10998

46-2-44
Edward & Ruth Heitler
1 Hobnail Court
New Windsor, NY 12553

37-1-52.2
William & Dorothy Scott
8 Cedar Lane
New Windsor, NY 12553

37-1-55
Paul & Valarie Kahan
183 Caesars Lane
New Windsor, NY 12553

43-1-35
William Wickline
5 St. Anne Drive
New Windsor, NY 12553

43-1-38 & 41
Luis Aldebot
Grace Panella
2 Hearthstone Way
New Windsor, NY 12553

43-1-42
Linda Dineen
4 Hearthstone Way
New Windsor, NY 12553

44-1-14
Upstate Properties USA, LLC
199 Lee Avenue - Suite 277
Brooklyn, NY 11211

44-1-37.1
Oakwood Terrace Housing Corp.
ATT: Jim McKillop Resources
367 Windsor Highway
New Windsor, NY 12553

44-1-41.1
Wellback Properties, Inc.
1013 Forest Glen
New Windsor, NY 12553

44-1-44
Kevin & Lisa Horan
4 St. Anne Drive
New Windsor, NY 12553

46-2-45
William Weinberg
3 Hearthstone Way
New Windsor, NY 12553

46-2-47

Arif & Nazneen Muslim
418 Blooming Grove Tpke
New Windsor, NY 12553

46-2-48

Helen Bunt
422 Blooming Grove Tpke
New Windsor, NY 12553

47-1-2

Louise Carione
P.O. Box 508
Vails Gate, NY 12584

47-1-3

Shari, Primchan & Kavita Mohan
329 Blooming Grove Tpke
New Windsor, NY 12553

47-1-4

Peter & Elizabeth Mullarkey
325 Blooming Grove Tpke
New Windsor, NY 12553

47-1-5

Sebastian Varghese
Grace Kutty
323 Blooming Grove Tpke
New Windsor, NY 12553

47-1-6

Sam Policano, Jr.
319 Blooming Grove Tpke
New Windsor, NY 12553

47-1-7

John & Barbara Tabasco
315 Blooming Grove Tpke
New Windsor, NY 12553

47-1-8

Lucy Lopresti
262 Frozen Ridge Road
Newburgh, NY 12550

47-1-9

Rochelle Amigo
11 Buttonwood Drive
New Windsor, NY 12553

47-1-10

Somporn & Richard Toombs, Sr.
9 Buttonwood Drive
New Windsor, NY 12553

47-1-11

Donald & Betty Mary Mazzocki
7 Buttonwood Drive
New Windsor, NY 12553

47-1-12

John & Marie Abbruscato
5 Buttonwood Drive
New Windsor, NY 12553

47-1-13

Matthew Brower Hunt Trust
c/o Bank of New York Trust Dept.
100 Church St. - 8th Floor
NY, NY 10286

47-1-14

Dwayne Bell
190 Caesars Lane
New Windsor, NY 12553

47-1-15

Alfred & Margaret Palumbo
186 Caesars Lane
New Windsor, NY 12553

47-1-16

Adele Flashman
184 Caesars Lane
New Windsor, NY 12553

47-1-17

Marion Fairbanks
182 Caesars Lane
New Windsor, NY 12553

47-1-18

Janet & William Sullinger, Jr.
180 Caesars Lane
New Windsor, NY 12553

47-1-19.1

Seymour & Rae Katz
176 Caesars Lane
New Windsor, NY 12553

47-1-20

Marian Sheley
12 Buttonwood Drive
New Windsor, NY 12553

47-1-21

Christopher & Mary Vincent
174 Caesars Lane
New Windsor, NY 12553

47-1-22

Gloria Latorre
John & Rosella Sprengle
5 Louise Drive
New Windsor, NY 12553

47-1-23

Prakash (a/k/a Peter) Ramnani
Mignyetta Ramnani
233 Blooming Grove Tpke
New Windsor, NY 12553

47-1-24

Livingstone & Susan Kuo
102 Shaker Court North
New Windsor, NY 12553

47-1-27

Christopher & Barbara Delventura
9 Louise Drive
New Windsor, NY 12553

47-1-28

Richard & Dawn Vacek
7 Louise Drive
New Windsor, NY 12553

47-1-29

Gina & Joseph Herska
162 Caesars Lane
New Windsor, NY 12553

47-1-30.1

Christobal Cox
160 Caesars Lane
New Windsor, NY 12553

78-1-3

Gary & Therese Lamica
1 Buttermilk Drive
New Windsor, NY 12553

78-1-4
Ross & Marianne Miller
3 Creamery Drive
New Windsor, NY 12553

78-1-7
Michael & Barna Arduino
9 Creamery Drive
New Windsor, NY 12553

78-1-11
John & Brenda Ripani
17 Creamery Drive
New Windsor, NY 12553

78-1-19
Kathryn Ferry
2 Creamery Drive
New Windsor, NY 12553

78-1-22
Kevin & Kathleen O'Connor
8 Creamery Drive
New Windsor, NY 12553

78-1-41
Rick Elliot & Debbie Linken
13 Buttermilk Drive
New Windsor, NY 12553

78-1-44
Sharon & Richard Murphy, III
7 Buttermilk Drive
New Windsor, NY 12553

78-2-4
Alexander & Ginger Russell
6 Buttermilk Drive
New Windsor, NY 12553

78-2-7
Wayne & Maria Soltis
12 Buttermilk Drive
New Windsor, NY 12553

78-2-30.1 & 30.2
Michael & Susan Klumack
22 Guernsey Drive
New Windsor, NY 12553

78-1-5
Susan Wool
5 Creamery Drive
New Windsor, NY 12553

78-1-8
Timothy & Renee Byassee
11 Creamery Drive
New Windsor, NY 12553

78-1-12
Sultana Bader
67 Lexington Drive
Newburgh, NY 12550

78-1-20
John & Margaret McGuire
4 Creamery Drive
New Windsor, NY 12553

78-1-23
Thomas & Loretta Guild
10 Creamery Drive
New Windsor, NY 12553

78-1-42
James & Susan Walsh
11 Buttermilk Drive
New Windsor, NY 12553

78-1-45
Patrick Griffin
P.O. Box 4006
New Windsor, NY 12553

78-2-5
Anthony & Elaine Colonna
8 Buttermilk Drive
New Windsor, NY 12553

78-2-28
Francisco & Griselda Espinal
18 Guernsey Drive
New Windsor, NY 12553

78-2-31
Gary & Susan Corbett
24 Guernsey Drive
New Windsor, NY 12553

78-1-6
Louis Miller
Carol Chillemi
7 Creamery Drive
New Windsor, NY 12553

78-1-9
Richard & Kristina Odell
13 Creamery Drive
New Windsor, NY 12553

78-1-13
Carol Ann Malagoli
21 Creamery Drive
New Windsor, NY 12553

78-1-21
Edward & Judith Broker
6 Creamery Drive
New Windsor, NY 12553

78-1-24
Suzanne Popp
12 Creamery Drive
New Windsor, NY 12553

78-1-43
Kevin & Patricia McGevna
9 Buttermilk Drive
New Windsor, NY 12553

78-2-3
Robert & Darlene Riccardi
4 Buttermilk Drive
New Windsor, NY 12553

78-2-6
Mary Montanez
10 Buttermilk Drive
New Windsor, NY 12553

78-2-29.1 & 29.2
Kenzie & Carline Fabre
20 Guernsey Drive
New Windsor, NY 12553

78-2-32
Mark & Geryl Prescott
26 Guernsey Drive
New Windsor, NY 12553

78-2-33
Herbert & Hartencia Norman
28 Guernsey Drive
New Windsor, NY 12553

78-2-34
Louis & Barbara Hauser
30 Guernsey Drive
New Windsor, NY 12553

78-2-35
James Manigault
32 Guernsey Drive
New Windsor, NY 12553

78-2-36
Jose Rivera, Jr.
34 Guernsey Drive
New Windsor, NY 12553

78-2-37
Joseph & Joyce D'Alo
36 Guernsey Drive
New Windsor, NY 12553

78-2-38
DuWayne Tinsley
Carmen Martinez Tinsley
38 Guernsey Drive
New Windsor, NY 12553

78-2-39
Sandra Santos
Eddie Thomas
40 Guernsey Drive
New Windsor, NY 12553



RESULTS OF Z.B.A. MEETING OF: November 1, 2005

PROJECT: Michele W. Winchester-Vega

ZBA # 05-70

P.B.# _____

USE VARIANCE: _____ NEED: EAF _____ PROXY _____



LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____
REIS _____
KANE _____

CARRIED: Y _____ N _____

PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____
REIS _____
KANE _____

CARRIED: Y _____ N _____

NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____
REIS _____
KANE _____

CARRIED: Y _____ N _____

APPROVED: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____
REIS _____
KANE _____

CARRIED: Y _____ N _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) 15 S) 15 VOTE: A 4 N 0

GANN _____
LOCEY A
BROWN A
MCDONALD _____
REIS A
KANE A

CARRIED: Y ☒ N _____

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES _____

VARIANCE APPROVED: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
BROWN _____
MC DONALD _____
REIS _____
KANE _____

CARRIED: Y _____ N _____

Add sign to paperwork - 100 s.f. - (36 s.f.)

Check parking with curb cut on Caesar's Lane

**OFFICE OF THE PLANNING BOARD
TOWN OF NEW WINDSOR
ORANGE COUNTY, NY**

NOTICE OF DISAPPROVAL OF PLANNING BOARD APPLICATION

PLANNING BOARD FILE NUMBER: **05-33**

DATE: **10-27-05**

APPLICANT:

Michele Winchester-Vega
2 Harvey Way, Newburgh, New York 12550

PLEASE TAKE NOTICE THAT YOUR APPLICATION:

DATED: **10-19-05**

FOR: SITE PLAN

LOCATED AT: **339 Blooming Grove Turnpike**


ZONE: **PO**

DESCRIPTION OF EXISTING SITE: SEC: **47** BLOCK: **1** LOT: **1**

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

Area Type Variances Required for Front Yard Setback, Development Coverage. (ZBA may wish to issue variances for pre-existing non-conformances for Lot Area, Side Yard and off-street parking).

TOWN OF NEW WINDSOR CODE: **Bulk Tables**


Mark J. Edsall, P.E., P.P.
Engineer for the Planning Board

NOTICE OF DISAPPROVAL OF PLANNING BOARD APPLICATION - Continued

REQUIREMENTS

P.B. # **05-33**

ZONE: **PO**

USE: **A-5**

	REQUIRED	PROPOSED	VARIANCE REQUESTED
MIN. LOT AREA	43,560 s.f.	0.45 acre	0.55 acre
MIN. LOT WIDTH	125	160+	-
REQUIRED FRONT YARD	45	57.5 / 25	- / 20
REQUIRED SIDE YARD	20	15.1	4.9
REQUIRED TOTAL SIDE YARD	40	n/a	-
REQUIRED REAR YARD	50	n/a	-
REQUIRED FRONTAGE	70	417+	-
MAX. BLDG. HT.	35	<35	-
FLOOR AREA RATIO	n/a	-	-
MIN. LIVABLE AREA	n/a	-	-
DEVELOPMENTAL COVERAGE	20%	43	23%
O/S PARKING SPACES	20	15	5

PLEASE COMPLETE THE ENCLOSED ZONING BOARD APPLICATION AND RETURN TO THE ZONING BOARD SECRETARY AS INSTRUCTED IN THE APPLICATION PACKAGE. YOU WILL THEN BE PLACED ON THE NEXT AVAILABLE AGENDA FOR THE ZONING BOARD OF APPEALS.

CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 11-02-05

FOR: ESCROW 05-70

FROM:


Michele Winchester-Vega
339 Blooming Grove Tpk.
New Windsor, NY 12553

CHECK NUMBER: 0095

TELEPHONE: 562-9816

AMOUNT: 500.00

RECEIVED AT COMPTROLLER'S OFFICE BY:



NAME

11-4-05

DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU

ZBA # 05-70 Application Fee

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#1062-2005

11/04/2005

Winchester-Vega, Michelle
339 Blooming Grove Tpk.
New Windsor, NY 12553

Received \$ 150.00 for Zoning Board Fees, on 11/04/2005. Thank you for
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk



Town of New Windsor

**555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4689**

ZONING BOARD OF APPEALS

November 2, 2005

**Michele Winchester-Vega
339 Blooming Grove Tpk.
New Windsor, NY 12553**

SUBJECT: REQUEST FOR VARIANCE #05-70

Dear Michele:

This letter is to inform you that you have been placed on the November 14th, 2005 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

**339 Blooming Grove Tpk.
New Windsor, NY**

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have a problem with this time and/or date, please contact me at the above number and we will reschedule your appearance. If you have any further questions, please feel free to contact me.

Very truly yours,

**Myra Mason, Secretary
Zoning Board of Appeals**

MLM:mlm

TOWN OF NEW WINDSOR

REQUEST FOR NOTIFICATION LIST

DATE: 11-02-05 PROJECT NUMBER: ZBA# 05-70 P.B. # _____

APPLICANT NAME: Dr. Michele Winchester-Vega

PERSON TO NOTIFY TO PICK UP LIST:

Dr. Michele Winchester-Vega
339 Blooming Grove Tpk.
New Windsor, NY 12553

TELEPHONE: 562-9816

TAX MAP NUMBER:	SEC. <u>47</u>	BLOCK <u>1</u>	LOT <u>1</u>
	SEC. _____	BLOCK _____	LOT _____
	SEC. _____	B LOCK _____	LOT _____

PROPERTY LOCATION: 339 Blooming Grove Tpk.
New Windsor, NY

THIS LIST IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD: _____

SITE PLAN OR SUBDIVISION: (ABUTTING AND ACROSS ANY STREET) _____

SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET) _____

AGRICULTURAL DISTRICT:
 (ANYONE WITHIN THE AG DISTRICT WHICH IS WITHIN 500'
 OF SITE PLAN OR SUBDIVISION PROJECT) _____

❖ ❖

NEW WINDSOR ZONING BOARD XXX

LIST WILL CONSIST OF ALL PROPERTY WITHIN 500 FEET OF PROJECT XXX

❖ ❖

AMOUNT OF DEPOSIT: 25.00 CHECK NUMBER: 0097

TOTAL CHARGES: _____



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**



APPLICATION FOR VARIANCE

10/28/05
Date

Application Type: Use Variance ☐ Area Variance ☒
Sign Variance ☒ Interpretation ☐

I. Owner Information:

Michele R. Winchester-Hen
(Name)

Phone Number: (845) 562-9816

Fax Number: (845) 863-0353

339 Blooming Grove Turnpike, New Windsor, NY 12553
(Address)

II. Applicant:

Same
(Name)

Phone Number: ()

Fax Number: ()

(Address)

III. Forwarding Address, if any, for return of escrow:

Phone Number: ()

Fax Number: ()

(Name)

(Address)

IV. Contractor/Engineer/Architect/Surveyor/:

Phone Number

(845) 561-3559

Fax Number:

(845) 561-2051

Anthony Coppola
(Name)

(Address)

V. Property Information:

Zone: PO Property Address in Question: 339 Blooming Grove Turnpike

Lot Size: Tax Map Number: Section 47 Block 51 Lot 1

a. What other zones lie within 500 feet?

b. Is pending sale or lease subject to ZBA approval of this Application? NO

c. When was property purchased by present owner? ~ 1990

d. Has property been subdivided previously? NO If so, When:

e. Has an Order to Remedy Violation been issued against the property by the Building/Zoning/Fire Inspector? NO

f. Is there any outside storage at the property now or is any proposed? NO

****PLEASE NOTE:****

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE ☐

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

Variance needed for additional storage space +
offices for practice. When purchased building
it was abandoned - we have + will
continue to aesthetically enhance property
to make building even more attractive to
community + neighborhood.

PLEASE NOTE:

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF
SUBMITTAL.**

XII. ADDITIONAL COMMENTS:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
-
-

XIII. ATTACHMENTS REQUIRED:

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: (each payable to the TOWN OF NEW WINDSOR)
- ☐ One in the amount of \$ 300.00 or 500.00 (escrow)
- ☐ One in the amount of \$ 50.00 or 150.00 (application fee)
- ☐ One in the amount of \$ 25.00 (Public Hearing List Deposit)
- ☐ Photographs of existing premises (5 or 6) from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER – PLEASE SUBMIT FOUR (4) SETS OF THE PHOTOS.)

XIV. AFFIDAVIT.

STATE OF NEW YORK)
) SS.:
COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

28th day of October 2005.

[Signature]
Owner's Signature (Notarized)

MICHAEL R. WINCHESTER-VEGA

JENNIFER MEAD
Notary Public, State Of New York
No. 01ME6050024
Qualified In Orange County
Commission Expires 10/30/2006

Owner's Name (Please Print) DA 655-890507
exp. 03-27-13

[Signature]
Signature and Stamp of Notary

[Signature]
Applicant's Signature (If not Owner)

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE ☐

APPLICANT/OWNER PROXY STATEMENT
(for professional representation)

for submittal to the:
TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS

Michele Winchester-Vega ^{conducts Business} _{resides} at 339 Blooming Grove Tapke in the County of Orange
(OWNER) _(OWNER'S ADDRESS)
and State of New York ^{Business} and that he is the owner of property tax map
designation number (Sec. 147 Block 1 Lot 1)
(Sec. Block Lot) which is the premises described in

the foregoing application and that he authorizes:

Anthony J. Coppola / Coppola Associates
(Applicant Name & Address, if different from owner)
3 Washington Center, Newburgh
(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: 10/28/05
Sworn to before me this:
28th day of October 2005

Michele Winchester-Vega
Owner's Signature (MUST BE NOTARIZED)

NICHELE R. WINCHESTER-VEGA
Applicant's Signature (If different than owner)

Jennifer Mead
Signature and Stamp of Notary

JENNIFER MEAD
Notary Public, State Of New York
No. 01ME6050024
Qualified In Orange County
Commission Expires 10/30/2006
Representative's Signature

THIS FORM IS TO BE COMPLETED ONLY IF SOMEONE OTHER THAN THE PROPERTY OWNER WILL BE APPEARING AS REPRESENTATION OF THE OWNER AT THE ZBA MEETINGS.

**** PLEASE NOTE:**

ONLY OWNER'S SIGNATURE MUST BE NOTARIZED.

COMPLETE THIS PAGE ☐

S 81°52'00" W 11.45'

N/F CARIONE
TAX MAP SEC. 47 BLK. 1 LOT 2

Existing 1 1/2 story
Frame Dwelling
Medical 1558 St
Office 850 Sf

TAX MAP SEC. 47 BLK. 1 LOT 1

EMPLOYEE
PARKING

NYS ROUTE # 94

CAESARS LANE



2 Location Map
SP1 N.T.S.

Bulk Table Requirements for PO (Mixed Use) Zoning District

Town of New Windsor, N.Y.

Requirements	Required	Existing	Proposed
Minimum Lot Size	1 Acre	0.45 Acre *	0.45 Acre *
Lot Width	125 feet	162.9 / 255.59 Feet	162.9 / 255.59 Feet
Front Yard Setback	45 feet	57.5 / 28.2 * Feet	57.5 / 25 * Feet
Rear Yard Setback	50 feet	N/A	N/A
Side Yard Setback	20 feet/ 20 feet combined	15.1 * / 79 feet	15.1 * / 79 feet
Max. Building Height	35 feet	<35 feet	<35 feet
Required Street Frontage	70 feet	162.9 / 255.59 Feet	162.9 / 255.59 Feet
Floor Area Ratio	N/A	N/A	N/A
Development Coverage	20%	37%	43%
Parking Space Size	9'-0" x 19'-0"	9'-0" x 19'-0"	9'-0" x 19'-0"
Required HC Parking	1	1	1
Required Parking	19	9 **	14 ***

* Non-Conforming

Parking Calculation:

** Existing Parking - Medical 1 Space per 175 S.F. = 1558 S.F. / 150 = 8.9 = 9
- Office 1 Space per 150 S.F. = 850 S.F. / 150 = 5.6 = 6
- Total Parking Spaces Required = 14 + 1 H/C = 15
- Total Parking Spaces Provided = 9 + 1 H/C = 10 (5 less than required)

*** Proposed Parking - Medical 1 Space per 175 S.F. = 2323 S.F. / 150 = 13.27 = 14
- Office 1 Space per 150 S.F. = 850 S.F. / 150 = 5.6 = 6
- Total Parking Spaces Required = 19 + 1 H/C = 20
- Total Parking Spaces Provided = 14 + 1 H/C = 15 (5 less than required)

1 Site Plan
SP1 1"=10'-0"

COPPOLA ASSOCIATES

Design, Architecture & Planning

3 Washington Center
Second Floor
Newburgh, NY 12550
TEL: 845-561-3559
FAX: 845-561-2051
coppolaassociates@verizon.net



LICENSE NUMBER: 018849

Proposed 1 Story Office Addition at

339 Blooming Grove
Turnpike

New Windsor, NY

SITE PLAN AND
SITE DETAILS

REVISIONS

DATE

10/13/05

PROJECT NUMBER

05-97

SHEET NUMBER

SP1

of 1

05-33